

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TUTOR PERINI BUILDING CORP.,
individually and, as to Count I of the Complaint,
on behalf of all others similarly situated, pursuant
to Article 3-A of the N.Y. Lien Law,

Plaintiff,

-v-

NEW YORK CITY REGIONAL CENTER, LLC;
GEORGE WASHINGTON BRIDGE BUS STATION
AND INFRASTRUCTURE DEVELOPMENT FUND,
LLC; GSNMF SUB-CDE 12 LLC; GSB NMTC
INVESTOR LLC; LIIF SUB-CDE XXVI, LLC; DVC
CDE XIII, LLC; GWB NMTC INVESTMENT FUND
LLC; GWB LEVERAGE LENDER, LLC; GEORGE
WASHINGTON BRIDGE BUS STATION AND
INFRASTRUCTURE DEVELOPMENT FUND,
PHASE II, LLC; UPPER MANHATTAN
EMPOWERMENT ZONE DEVELOPMENT
CORPORATION; SLAYTON VENTURES, LLC;
SLAYTON EQUITIES; SJM PARTNERS INC.;
PAUL SLAYTON, *an individual*, STEPHEN GARCHIK,
an individual; WILLIAM “TREY” BURKE, *an individual*,
STEPHEN McBRIDE, *an individual*; and DOES 1-300,
inclusive,

Defendants.

20 Civ. 731 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

On January 27, 2020, plaintiff filed the complaint. Dkt. 1. On March 24, 2020, plaintiff filed an amended complaint. Dkt. 61. On April 20, 2020, defendants filed several motions to dismiss the amended complaint under Rule 12 of the Federal Rules of Civil Procedure. *See* Dkts. 63–70. Under Rule 15(a)(1)(B), a plaintiff has 21 days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course.

Accordingly, it is hereby ORDERED that plaintiff shall file any amended complaint by May 11, 2020. No further opportunities to amend will ordinarily be granted. If plaintiff does amend, by June 1, 2020, defendant shall each: (1) file an answer; (2) file a new motion to dismiss; or (3) submit a letter to the Court, copying plaintiff, stating that they rely on the previously filed motion to dismiss.¹

It is further ORDERED that if no amended complaint is filed, plaintiff shall serve any opposition to the motion to dismiss by May 11, 2020. Defendants' replies, if any, shall be served by May 25, 2020. At the time any reply is served, the moving parties shall supply the Court with two (2) courtesy copies of all motion papers by mailing or delivering them to the Thurgood Marshall United States Courthouse, 40 Centre Street, New York, New York 10007.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: April 24, 2020
New York, New York

¹ If defendants file new motions to dismiss or rely on their previous motions, plaintiff's opposition will be due 14 days thereafter, and defendants' replies, if any, will be due seven days after that.